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Attorney's Docket No. CDS-236

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Edward R. Scalice et al.

Serial No.: 09/821,227

Art Unit: 7161

Filed: March 29, 2001

Examiner: James L. Grun

For: IMMUNOASSAY FOR C-REACTIVE PROTEIN

CERTIFICATION UNDER (37 C.F.R. § 1.8(A))

I hereby certify that, on the date shown below, this correspondence is being:

Mailing

☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Alexandria, VA 22313.

Date: August 25, 2004

Facsimile

☐ transmitted by facsimile to the Patent and Trademark Office.

Signature:

Mail Stop Petition
Assistant Commissioner for Patents
Alexandria, VA 22313

**PETITION TO ACCEPT AN UNINTENTIONALLY
DELAYED CLAIM OF PRIORITY**

Dear Sir:

Applicants petition the Commissioner of Patents and Trademarks to correct an unintentionally delayed claim of priority in the above-captioned application.

Applicants hereby petition the Commissioner under 37 C.F.R. § 1.78(a)(6) to claim the benefit under 35 U.S.C. § 119(e) of an earlier filed provisional application.

The cause of delay to the priority claim under paragraph §1.78(a)(5)(ii) was unintentional. The current application was filed on March 29, 2001 and priority was claimed to U.S. Prov. Appln. No. 60/193,951, filed March 31, 2000, as indicated on the Declaration and Power of Attorney. A copy of which is attached hereto.

Applicants' failure to file a Preliminary Amendment to add the required related application's paragraph to the specification was unintentional.

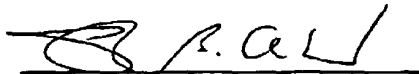
Applicants attach hereto an Amendment After Notice of Allowance to add a related cases section to the specification to correct the claim for priority.

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Please charge any fees, including the Petition Fee, which may be required for this submission to Johnson & Johnson Deposit Account No. 10-0750/CDS-236/SBA.

Respectfully submitted,



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Dated: August 25, 2004

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